

S/N 10/650,407

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ricky W. Purcell

Examiner: Tarla R. Patel

Serial No.: 10/650,407

Group Art Unit: 3772

Filed: August 27, 2003

Docket: 1443.052US1

Title: ADJUSTABLE TEMPERATURE HEAT PATCH

---

**NOTICE OF APPEAL FROM THE DECISION OF THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**MAIL STOP AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

In compliance with 37 C.F.R. § 41.31(a)(1), Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated May 15, 2007, of the Examiner rejecting claims 1, 2 and 4-14 of the above-identified patent application.

No extension of time is necessary to respond to the Examiner's rejection.

Please charge the amount of \$500.00 in payment of the Notice of Appeal fee under 37 C.F.R. § 41.20(b)(1), as well as any additional required fees, to Deposit Account No. 19-0743.

A Pre-Appeal Brief Request for Review is submitted herewith.

Respectfully submitted,

RICKY W. PURCELL

By Applicant's Attorneys,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(262) 646-7009

Date 8-10-2007

By / Andrew R. Peret /

Andrew R. Peret

Reg. No. 41,246

I hereby certify that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 10 day of August 2007.

CANDIS BUENDING

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature